

Notice of Allowability

Application No.

09/557,264

Examiner

Greg F. Cunningham

Applicant(s)

OKITA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to amendment received 9/25/2006.
2. ☒ The allowed claim(s) is/are 27-33 and 47-56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This action is responsive to amendment filed 9/25/2006.
2. The disposition of the claims is as follows: claims 27-33 are pending in the application. Claim 27 is the independent claims. Claims 1-26 have been cancelled. Claims 34-46 have been withdrawn. Claims 48-56 are newly added with claims 48 and 53 as the independent claims.

Claim Rejections - 35 USC § 103

3. In view of amended and cancelled claims and review of cited references, 103 rejections are withdrawn.

Examiner's Amendment

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James A. Scheer (Registration No. 29,434) on 12/11/2006.

The application has been amended as follows:

Withdrawn claims 34-46 are now cancelled.

Allowable Subject Matter

5. Claims 27-33 and 47-56 are allowed.
6. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claim 27 stands novel over the related prior art.

The closest prior art reference is McFarlane et al., (US 6,704,410 B1), hereinafter McFarlane. Even if McFarlane were combined with the references cited in prior office action, McFarlane would be exceptionally penetrating for “querying the workflow engine on an interface exposed by the workflow engine, and extracting selected data from the obtained data by a data provider” as now claimed in independent claim 27, yet McFarlane, Hoyer, Hull, Tubel and Murray are all seemingly void of “using the selected data to calculate the execution statistics by the data provider; and providing the execution statistics to a workflow editor for display of the execution statistics; wherein there is no direct communication between the workflow engine and the workflow editor” as now also claimed in independent claim 27.

Independent claim 48 provides for obtaining data about the workflow using a workflow engine; extracting selected data from the obtained data; calculating execution statistics relating to execution of the workflow on the computer system using the selected data; displaying a workflow diagram on a display screen associated with the computer system, wherein the workflow diagram symbolically depicts how business rules are implemented for a given input and providing the execution statistics to a workflow editor for display of the execution statistics; and displaying the execution statistics on the workflow diagram in real time, wherein the execution statistics are for various steps displayed in the workflow diagram, while McFarlane, Hoyer, Hull, Tubel and Murray lack these combined feature elements.

Now, independent claim 53 provides for a workflow engine adapted to obtain data about the workflow and having the interface to permit extraction of selected data; a computer application module to calculate execution statistics relating to execution of the workflow using

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the related data; display screen associated with the computer system which displays a workflow diagram which symbolically depicts how business rules are implemented for a given input; a workflow editor which edits and displays the execution statistics; wherein the display screen displays the execution statistics on the workflow diagram in real-time with execution statistics for various steps displayed in the workflow diagram.

Although McFarlane teaches a call center router 101 communicates with the work flow-based call routing process 108 to direct this communication connection to an appropriate destination. The process engine portion of the work flow-based call routing process 108 at step 308 obtains data relating to the customer (Information Layer 205) as part of the communication connection redirection. In particular, the identity of the customer, customer query information input to the by the customer, and the like are transmitted to the work flow-based call routing process 108, while Hoyer provides for a graphical display of historical performance displayed which includes selected individual peak value.

Neither McFarlane, Hoyer, Hull, Tubel nor Murray provide for the combined claim elements of independent claim 53 as given above and as set forth in the prior office action.

Therefore as claimed by the combined elements of amended independent claim 27 and added independent claims 48 and 53, the cited references and prior art of record lack separately and in combination the elements of said independent claims.

Claims 28-33 and 47 depend from allowable independent claim 27 and therefore are also allowed. Claims 49-52 and 54-56 depend from allowable independent claims 48 and 53, respectively, and therefore are also allowed.

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7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Responses

8. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Inquiries

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Cunningham

Examiner, Art Unit 2628

12/11/2006



KEE M. TUNG
SUPERVISORY PATENT EXAMINER